

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JUNE M. CANTRELL and FREDDIE  
CANTRELL, JR.,  
Plaintiffs,  
vs.  
CAPITAL ONE, N.A., *et al.*,  
Defendants.

Case No. 2:15-cv-02023-GMN-GWF

**ORDER**

The Court has received Defendant's Discovery Plan and Scheduling Order Submitted in Compliance with LR 26-1(e) (#24) filed February 16, 2016.<sup>1</sup> LR 26-1(e)(1) sets a period of 180 days as a presumptively reasonable amount of time in which to conduct discovery. Discovery plans requesting longer than 180 days from the date the first defendant answers or appears require special scheduling review. LR 26-1(d) is explicit:

Plans requesting special scheduling review shall include, in addition to the information required by Fed. R. Civ. P. 26(f) and LR 26-1(e), a statement of the reasons why longer or different time periods should apply to the case or, in cases in which the parties disagree as to the form or contents of the discovery plan, a statement of each party's position on each point in dispute.

Defendant has failed to comply with the requirements of LR 26-1. Accordingly,

**IT IS HEREBY ORDERED** that the Defendant's Discovery Plan and Scheduling Order (#24) is denied, without prejudice.

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<sup>1</sup> Defendant represents that it attempted to contact Plaintiffs to schedule a meet and confer in compliance with Fed. R. Civ. P. 26(f) and Local Rule 26-1(d). However, these attempts were unsuccessful and Defendant unilaterally submitted this Discovery Plan and Scheduling Order.

**IT IS FURTHER ORDERED** that Defendant, or the parties if Plaintiffs contact Defendant to fulfill their duty under Fed. R. Civ. P 26(f) Local Rule 26-1(d), shall file a revised Discovery Plan and Scheduling Order in compliance with LR 26-1, including any request for special scheduling review, within seven (7) days of the date of this order.

DATED this 17th day of February, 2016.

*George Foley Jr.*  
GEORGE FOLEY, JR.  
United States Magistrate Judge